NUMBER 147

FIFTY-SECOND YEAR

FRIDAY, MAY 9, 1902. SALT LAKE CITY, UTAH.

# Iged Father and Youngest Brother

fortensen Met and Reassured by Both This Morning, They Having Just Arrived From Oakland to Attend the Trial -George Wareing While in Jury-Box Professed Friendship for Accused and is Rigidly Examined.

court, has no bueiness meddling with spiritual things; spiritual things should

not be in a civil court. Finally he an-

swered in the affirmative and was ex-

cused.

W. H. Guiver, M. J. Freedman, W. W. Kiddle, Robert Pike, all had opinions more or less, and challenged for cause,

FIFTY MORE NAMES.

Before court adjourned a special ve-

nire of 50 names was issued, and made

returnable for this morning at 10 o'clock. The following were drawn:

J. A. Fritsch, James H. Day, Lance-

lot M. Earl, Edward T. Ashton, L. P. Marix, Andrew Hansen, J. W. Sum-

merhays, Edwin Dowden, William Keyt-

ing, Jacob Moritz, R. S. Watson, Serge Stenhouse, Rodney G. Badger, H. S. McItee, Thomas Hughes, James B. Davis, James Higgins, James M. Ward-

rop, Walter M. Brown, H. J. Bird, G. Stringham, J. W. W. Fitzgerald, David Bills, Ed. F. Clayton, A. W. Gallacher, Granville Gillett, W. H. Hamilton, Bichond G. Winney, Victory 11.

Richard G. Winter, Heber S. Goddard,

Levi M. North, John Boulter, Orson Ru-mel, Albert T. Fletcher, Thomas Hom-

er, George Wareing, Louis Cohn, Alfred

N. Derrick, Lewis B. Hills, Julius H. Lovendahl, Thos. G. Allen, Wm. J.Back man, James H. Poulton, H. M. Bjork, Matthew G. Allen, M. M. Beaver, Rob-

Smith, James Dinwoodey, Joseph

CALIFORNIA RELATIVES.

Aged Father and Youngest Brother

Come from Oakland to Attend Trial

spirits this morning, the occasion for

his joy being the appearance of his father, M. F. Mortensen, who arrived

in the city last night from Oakland

Cal., accompanied by the prisoner's younger brother, Jesse. The defend-

ant's father is a contractor and builder, and has left his business to be present

at the trial of his son. The gentleman came into the court room before the

defendant arrived, and the latter was

greatly surprised to see his father on hand. The greeting between the two

was a warm one, and father and son

were in no hurry to let go of each other's hands. The father and his sons,

Peter and Henry, engaged in earnest

called to order, and when the examina-tion of the 50 special talesmen began,

est attention to the proceedings. Mor-

tensen Sr. has nothing to say about the

WORKED ALL NIGHT.

The sheriff and his deputies deserve

great praise for the good work they did last night in summoning the 50 jurors. Forty-nine of the 50 were

reached last night, and the other was located today. The officers were out

all of last night finding the jurors, and

Murray, Sandy, Draper, Riverton Mill

terest will be taken in the case until the witnesses are placed upon the

stand for examination. To a "News" reporter Mortensen said this morning:

'I am well pleased with the jury s

far. I think they are all good honest men. Don't you? All I ask for is a

FIRST JURY CALL.

The jurors first called this morning were J. H. Poulton, M. G. Allen, T. G. Allen, James B. Davis, Louis B. Hills,

James M. Wardrop, J. H. Lovendahl, L. Cohn, George Wareing, Edward T.

Ashton, J. A. Fritsch, Jacob Moritz, Thomas Homer, L. M. North, W. H. Hamilton, L. M. Earl, R. G. Winter.

A. W. Gallacher was excused because he is in the telephone business. There

was a discrepancy in the name of Isaac N. Smith, and he was excused. H. N.

N. Smith, and he was excused. H. N. Bjork could not write and was let off. W. J. Backman was excused on account of business. Mr. Lovendahl wanted to know if his disbellef in capital punishment was to be considered a "mental defect." He was informed that it was not, and he was not excused.

Serge Stenhouse, James Dinwoodey, Jos G. Bywater, Alfred M. Derrick,

P. Rumel, William M. Keyting, J. W. W. Fitzgerald and G. Stringham were

Six jurors were then called to the box and the examinations conducted by At-

torney C. B. Stewart for the defense

L. A. Amsden, Francis Tate, W. B.

Sprague, J. M. Bidwell, Wesley A

KNEW HAY WELL.

George Wareing, a shoe salesman at

about 18 years, and that he had read of the case, but knowing the defendant so well he

stated that he knew defendant's father, brother and brothers-in-law, but

had not talked with them about the

"Did you know James R. Hay in his

"Yes, sir; I worked with him in the

"Would the fact that you knew Mr.

Hay influence your verdict in the

He stated that he knew James Sharp. Chief Hilton and Sheriff Naylor, and

that they had bought shoes from him

"Would the fact that these parties

des and Louis Cohn were

Heber S. Goddard, Grandill Gillett

excused for various reasons.

fair trial."

their work carried them to Bingham

be adjudged an innocent man.

turned about and paid the strict-

but has hopes that his son will

Peter Mortensen was in rare good

his morning's train from San Fran-I things and the court, if it please the o had as passengers the aged father Peter Mortensen and the latter's gest brother, Jesse, who live at and, and who have come here to t him in his fight for life and lib-Their meeting was most touchin its character, and it is evident risoner is to be given every posshelp that will tend to clear him of

been conducted with increased raty throughout the day and altogethce Monday morning last two hunand 40 names have been considered et that the last one of this numvill have been disposed of before ourt adjourns tonight. The featof this morning's session was the examination to which George eing, superintendent of the retail department of the Z. C. M. I., was cted. The searching queries were ed by Mr. Wareing declaring that he was friendly to the entire Moren family although he was likefriendly to Mr. Hay, the victim of

s afternoon the jurors thus far n in the Mortensen case received

urnable tomorrow; 50 returnable day and 50 returnable Tuesday. e will be no court tomorrow.

examination of the following jur oon, at which time the "News" closed. Edward White of Mill successfully passed the examinath the exception of his firm bein Mr. Sharp's revelation. He was

LIVED IN HIS HAT.

. Milet, a mechanical engineer aid his residence was in his pocksaid he had expressed an opinion, wished to explain to what extent opinion was. His request was

once stated that if the person who ditted that murder and robbed that lady of her husband, and those in-nt little children of their father their support, was proved guilty doubt, I would pull upon the to string him up."

to string him up.
to the revelation he said he did
believe that God knew anything
at the murder, or if He did, He
d have prevented it. If He did then erson who committed the deed d not be punished. gentleman said he would not

r conviction where death was punishment, upon circumstantial nee. He was challenged and ex-HAD NO OPINION.

orge Newbold had read very little the case, but had formed some t opinion about it. He did not that opinion at the present time. Id not believe that James Sharp evelation in reference to the The jurer said he did not believe ing a man on circumstantial nce and would hesitate in voting wiction where the evidence was cumstantial, and where the penalty would be inflicted upon iction. His challenge was not red, and Mr. Newbold stepped down

SWIFT'S DREAM.

hn Dean Swift created more laughhan any other juror who has been d, and he kept the courtroom in a ring the examination. He perin answering questions put to y counsel in a decidedly rambling n, and had to be instructed by surt to answer the questions put in in a direct manner, and without

nat is your occupation, Mr. Swift?" am a dry goods peddler." you not a physician?"

lenged and excused in quick succession as they had formed opinions which I sometimes prescribe for ds and customers who are sick. I they could not lay asside without conone man that thi would die, but he is not dead siderable evidence. George Wareing, R. G. Winter, J. M. Wardrop, L. M. Earl, W. H. Hamilton and J. N. Lovenhahl were then called

ou have no certificate to practice sir; but some of the doctors

told me I am about ready for are pretty well known, are you Z. C. M. I., stated in answer to ques-tions that he had known defendant for

sir; pretty swiftly known. Ha

lo you know Mr. Sharp?" had formed no opinion as to his guilt or innocence. What he had read would not affect his verdict in the least. He

is, if: I have that honor. I know a you are coming to—that revelaNow I am something like Mr.
ap myself, for I have had a manion myself. On the night the mura tarried tute a new meeting house freet Dale. It was beautifully dec-Trest Dale. It was beautifully dec-ud. The ceiling was frescoed, the als segantly painted and beautiful inting hung upon the wall. I no-ed the new benches, but, as I looked aw bood and I thought—"
The Swift was here interrupted by uned for both sides, but he Insisted

for both sides, but he insisted has his dream to the end, until ad by the court to confine himbief answers to the questions you had some manifestations er as to the guilt or innocence of detendant, or as to the guilt or insome other person?" sill antwer your question in my say only, by telling my dream."
as again instructed to answer the

customers of your's influence your verdict?" "Would the fear of public sentiment influence your verdict."
"No, sir."
"No, sir."
"No, sir."
"Would the fact that defandant's

life time?

"No, sir."

### wife and brothers-in-law had deserted him influence your verdict?" "No, sir; if the defendant was a stranger to me it might, but knowing him so well it would not affect me in "Did you read that a certain person had a revelation that the defendant had killed James R. Hay?"

Would that influence your verdict in

"N, sir; it would not. At the same time I wish to say that I have great respect for the man who made the statement."

The juror stated that he would give the defendant the benefit of the doubt, and that he believed that maximum of law, that it is better that ninety-nine guilty men should be turned loose than that one innocent man should be convicted, is a good one. "If you should retire to the jury room and eleven of the juryer believed deand eleven of the jurors believed defendant guilty and you had a reasonable doubt as to his guilt, would you yield that doubt to the other jurors?"

No, sir, I would not."

The juror was passed for cause by

The juror was passed for cause by R. G. Winter, J. M. Wardrop, L. M. Earl, W. H. Hamilton and J. H. Lovendahl were challenged and excused on the ground of implied bias.

on the ground of implied bias.

The further examination of Mr.Wareing by District Attorney Eichnor, developed the fact that the juror was a friend of the defendant's, that he had known him for about 18 years. Answering Mr. Eichnor, he said he first formed his acuaintance with Mortensen in Ogden by selling him shoes. sen in Ogden, by selling him shoes. FRIENDLY TO MORTENSEN.

"I have a friendly feeling for Mortensen and his entire family," said Mr. Wareing. He said he would not vote for conviction for murder in the first degree where the death penalty goes with it and where the evidence was whelly in the said where the evidence was whelly in the said where the evidence was whelly in the said where the said was a said to said the said where the evidence was whelly in the said to said the said to said the said the said to said the said th wholly circumstantial, but after being questioned by the court, qualified his statement by saying that if the evi-dence was satisfactory to his mind dence was satisfactory to his mind, even though circumstantial, he would vote for conviction. He was positive that his friendship for the accused would in no way influence him. Later the juror said he would require direct evidence. He was challenged for implied bias, but the challenge was resisted and denied. Mr. C. B. Stewart arose and said there was an attempt to excuse the juror because he was a to excuse the juror because he was a friend of the accused. "This is the only juror we have found during this examination who entertains friendly

elings for the defendant."
Wareing said so far as that was conerned, he had friends on both sides the case, but that would make no difference to him. The juror did not seem to understand what was meant by "direct evidence," and his answers were at times so indefinite that the court could not understand them. He was still under cross fire when court took

recess until this afternoon.

During the examination of the juror, fortensen smiled broadly, and appeared to be tickled that at last a man had been found who was not afraid to declare his friendship for him.

#### This Afternoon.

The defendant's father and two prothers were in court this afternoon and their presence appeared to cheer the accused greatly. The greeting be-tween the accused and his younger brother, Jesse Mortensen, was a warm be deeply interested in the proceedings f selecting a jury.

Juror Albert T. Fletcher was examined on his voir dire and passed for the

time being. WAREING EXCUSED.

The further examination of Mr Wareing resulted in his being challenged by the state, resisted by de-fense, and excused by the court. The question that led to his removal from the jury box was: "Do you entertain conscientious opinions as preclude you from finding the defendant guilty of murder in the first degree where the death penalty goes with it, and the evidence wholly circumstan-

FEW PERSONS PRESENT.

The crowd in the courtroom had this morning dwindled down to a mere handfull, and no great amount of the court of but Judge Morse held that he was not

qualified and excused him.

The excuse for implied bias of jurors
Levi N. North, J. A. Fritsch, Thomas Allen came in quick succession Both Mr. Mortensen Sr. and Henry Mortensen remarked this afternoon that it was very refreshing to find a man like Wareing who was willing to sinte h! friendship for the accused. They both said they hoped the balance of the jurors would be like those already selected, and said they were

ney both felt confident of the outcome they had a "fair trial" and they beleved they would get it.

Louis B. Hills of the Deseret National bank was excused on the ground of im-

ased with the progress so far made

Albert T. Fletcher stated that he formed different opinions about the case but did not have any particular opinion at the present time.
"Do you know the defendant?"

"Yes, sir; I am acquainted with him, being a carpenter myself and he a con-tractor." 'Did you know James R. Hay?"

"Yes, sir; I did some business with him about two weeks before he was "Have you done business with the Pacific Lumber company recently?

Well, the last was in January. "Do you owe the company anything "Yes, sir; about \$350." In regard to the revelation of James Sharp the juror said he did not believe God revealed to man the guilt or inno-

cence of a person charged with crime. IMPLIED BIAS THE CAUSE. Implied bias was the cause that led to the excusing of Albert T. Fletcher and James B. Devis.

### EXODUS TO OGDEN.

Evangelical Union Meeting-Smith or Simpkins President.

Everything looks favorable for a fair Ogden, where the second annual union convention of Evangelical young people's societies of the state will be held men looked good and, of course, in the First Methodist church. It is understood that with the building of a understood that with the building of a new church on his hands, Rev. P. A. Simpkin will not feel at liberty to run for the presidency of the Christian Endeavor, which, it is said, leaves the way clear for Horace Smith, if he wishes it. There is a proposition on foot to hand over the state prison Endeavor work to the Christian Union of this city, as the state union of Christian Endeavor has never really had anything to do with it, beyond the appointment to yacancies on the prison comment to vacancies on the prison com-mittee, and it is desired to actively inmittee, and it is desired to actively in-terest all of the Evangelical denomina-tions in the work. It is also proposed to have all of the members of the pris-on committee, men, with the president of the city Christian Union chairman of the city Christian Union chairman ex-officio. Something of a contest is expected in the choice of a superinten-dent for the judior work of the Endeav-or society in the state.

# Big Mining Suit May Be Settled

Consolidation or Some Other Advantageous Agreement Between Owners of Mammoth and Grand Central-Litigation Dismissed in Court Today.

The Mammoth-Grand Central suit was this morning dismissed from the Federal court in compliance with a motion made by the counsel for the Mammoth Mining company. The case was dismissed at the plaintiff's cost but on the express understanding that such dismissal shall not prejudice its rights in the controversy.

'The case against the Grand Central has been dismissed, and that is about all I can say at present." "But is the injunction restraining the Grand Gentral also dismissed," was

When seen this afternoon, Judge Zane

of the counsel for the plaintiff said,

When Mr. W. H. Dickson of the Grand Central was seen he stated that he had not been informed why the action had been taken but was rather of opinion that it might be a war and not a peace measure.

It was learned this afternoon that some agreement had been effected betwen the two companies and that the details of a final settlement will be or another suit will be commenced. With the dissolving of the injunction by the dismissal of the case, the Grand Central has the right to operate the great ore bodies, estimated to be worth at least \$1,000,000, which have been tied up almost continuously for over two years. Although nothing definite could be learned this afternoon Grand Gentral also dismissed, asked. "I guess the whole thing goes," as to what kind of an agreement said Mr. Zane and with that he began been reached, for some days it has been reached, for some days it has been removed that a settlement would soon as to what kind of an agreement has

## LAUDANUM CAUSED HIS DEATH

Henry Bills, a Well Known Sheepman, Ends His Life Either Accidentally or With Suicidal Intent-Had Six

Bottles of the Drug.

was found unconscious at the shearing corrals about three miles from Gale at o'clock last evening. Shortly after he was found he expired. In the pockets of the dead man were found six one-ounce bottles labelled lauda-Two of the bottles were empty, one was two-thirds empty, two were about four-fifths full and one not been touched. Pending the arrival of County Physician Mayo and Deputy Sheriff Busby who will leave for the scene at 4 o'clock this afternoon to institute an investigation, op-inion at Gale is somewhat divided as to whether the unfortunate man com-mitted suicide or died from the effects of an overdose taken unintentionally.

Henry Bills, a well known sheepman, past has been addicted to periodical drinking spells and only some months ago graduated from the Keeley insti-tute. On Friday, however, he started on another spree and since Monday has been using laudanum considerably. The drug he purchased, either himself or sent messengers, at the store of R. M. Holt & Co. at Gale, the six bottles having been bought yesterday.

It was thought last night that Bills

had gone over to his camp to bed and it was not until the shearers returned to the corral to turn in for the night that he was discovered in the condition indicated. The deceased was 33 years old, leaves

to whether the unfortunate man committed suicide or died from the effects was the son of William A. Bills and a of an overdose taken unintentionally.

It appears that the deceased in the tice of the peace at South Jordan.

## CONVICTION IN LIQUOR CASE

Judge Tanner Decides in Favor of the City Against William H. Cowan-Result is Opposite of Judge Diehl's Conclusions In the Famous Drug Store Cases Tried Heretofore.

the stead of Judge Diehl, who had heretofore dismissed a similar case and before whom the city did not desire to have the present case tried, rendered judgment against William H. Cowan and in favor of the city. Mr. Cowan vas arrested on Sunday last by Officers Cannon and Armstrong for selling inout their uinforms on and purchased | the defendant at the trial.

Judge Tanner today, sitting in the beer. Mr. Cowan was represented in criminal division of the city court, in the trial by Hon. Lindsay R. Rogers, the steed of Ludge Diebl who is ad here. moral right to induce a person to commit an offense for the purpose of de-tecting him in the act. Judge Tanner today held that the defendant was guilty and quoted as precedents the decisions of the supreme Massachusetts, Illinois and New York in similar cases. He suspended sen tence, however, until Tuesday next to toxicating drinks on the Sabbath and give Mr. Rogers time for further ac-I leaded not guilty to the charge. The tion if such were desired, having in officers had gone into the saloon with-

## WOMEN DELEGATES COMING TO SALT LAKE.

the sixth biennial of the General Federation of Women's clubs officially T. S. Denison and 140 others, starts closed last night in a shower of rose petals, which pages scattered over the in flags in honor of the distinguished audience from the first balcony, at officers. least 500 of the delegates will observe the lingering guests.

Los Angeles, Cal., May 9.-Though | This afternoon the New York special, with the new president, Mrs. Dimies eastward. The engine was decorated

The trip home will include stops at "Passadena day" today, while social Santa Barbara, Monterey, San Franfunctions are scheduled days ahead for cisco and Salt Lake City and Pike's

# MEN MARCH TO FORT DOUGLAS

Headed by Their Band Four Companies of the First Battalion, 12th U. S. Infantry, Detrain This Morning and Make

Their Way to New Quarters on the East Bench.

The first battalion of the Twelfth U. S. infantry, comprising companies A. B. C. D. with headquarters and band, arrived this morning over the Short sized exodus tomorrow morning for Line, and after unloading, the command marched up town under Colonel J. W. Bubb, headed by the band. The

> marched well, and their officers marched with them, sword in hand, the colonel's tall figure towering above all. The band under Bandmaster Grisinger, struck up a lively march on reaching Main street, and the boys played well. The command was in heavy marching order, and marched in columns of fours. The officers with the battalion are, Colonel J. W. Bubb, regimental commander; Lieut.-Colonel H. L. Haskell, Major P. G. Wood, Captains Harberson and Creary, and Lieuants Merrill and McConnel, commanding the companies, and Quartermaste Capt. Hurst, Commissary Capt. Cochu and Surgeon Liuet. Walter Cox. The

of the artillery corps, who commanded the post after Maj. Young and the Eighteenth infantry departed. With the command are Miss Bubb,

laughter of the colonel. Wood, Miss Duplaine Wood, Mrs. Hascell, wife of the lieutenant-colonel, Mrs. C. H. Barten, Mrs. Cohen and Miss Elizabeth Bittman. It was slated for the lieutenant-colonel to command Fort Bliss, Texas, where the second bat-talfon has gone under command of Maj Terrett, but he was able to have his destination changed to Fort Douglas, where he will escape the unpleasant sand storms that make life a burden in western Texas. The third battalion of the regiment is divided between Fort Apache, Ariz., and Fort Duchesne. The Eighteenth infantry is equally divided between Fort Logan near Denver, and Fort Russell, near Cheyenne; and I company, that was stationed at Fort Duchesne, with the three companies that were stationed here, are at Logan, two of the companies from Fort Bliss going to Russell. Logan is the head-quarters of the Fourteenth cavalry, and Surgeon Liuet. Walter Cox. The battalion marched to Fort Douglas, where the men have been busy all day getting settled in the old stone barracks. Col. Bubb was, according to regulations, in command of the post at

PRESIDENT SIGNS OLEMARGARINE BILL.

Washington, May 9 .- The president today signed the oleomargarine bill.

nate convened today, a joint resolu-

Washington, May 9 .- Soon after the

tion was passed to permit steam railoccupy temporarily parts of streets for the benefit of the traveling public dur-A. R., in October. At the conclusion of routine business, the resolution recently offered by Mr. Culberson, of Texas, calling upon the secretary of war for certain information as to Gen. Smith's order in the Philippines, was called up, and at the suggestion of Mr. Culberson, was indefinitely postponed. The resolution of Mr. Berry of Arkansas, providing for the discharge of the committee on privileges and electrons. the committee on privileges and elec-tions from further consideration of the resolution for the submission of a con stitutional amendment providing for the election of senators by the people came up in the regular order. Mr. Berry said the matter had been pending or five months, and although the house

had passed the resolution unaning port it either favorably or adversely. He said it was not fair to smother the resolution in committee. Mr. Burrows, chairman of the committee, said there was no disposition to smother the reso Mr. Burrows, speaking of what took place in the committee, said it did not divide on party lines. 'He had no doubt that at an early date the committee would report the resolution to the senate either favorably or adverse-

ly. A proposition, he said, was pend-ing before the committee which tended to remove some objections to the pres-ent methods of electing senators, and he hoped the resolution would not be taken from the committee. Mr. Berry indicated his willingness

that the resolution should go to the calendar in view of the assurance of the chairman of the committee that a report would be made "at an early date."

#### HOUSE.

Washington, May 9.-The house resumed consideration of the omnibus journal today. The pending amendment was that of Mr. Overstreet of Indiana to consolidate New Mexico and Arizona and admit them as the state of Montezuma or such other name as the constitutional convention should elect. The opposition to the bill had united upon this amendment and had decided to make a determined effort to adopt it. Mr. Overstreet made a vigorous speech in support of it, arguing that its purpose was to benefit the people

of the two territories.

Mr. Ball, of Texas, opposed the amendment. He called attention to the fact that the Republican as well as the Democratic platforms had declared for the admission of the three territories. Mr. Lacey, of Iowa, favored the

He was opposed to any more rotten poroughs. He referred to the state of dent of a gas company had to be con sulted when a senator was to be elected. Mr. Lacey said the bill was in the interest of Arizona. He did not want another Nevada in the American Union. Consolidated, he predicted that New Mexico and Arizona would make a grand state.

Mr. Rodney, delegate from New Mex-ico, and Mr. Smith, delegate from Arizona, both protested strenuously against the joining of the two territor-The former said it required 36 hours to travel from the center of New Mexico to the capital of Arizona. If the amendment was adopted he said the bill would be killed.

Mr. Smith insisted that the territorles were too large to be consolidated. He agreed with Mr. Rodey that the purpose of the amendment was to kill

### Liverpool Wants to be Terminus.

New York, May 9.—A deputation from the Liverpool chamber of com-merce, the Mersey dock board and oth-er local bodies, has waited upon Lord Strathcona, cables the London corres-pondent of the Tribune, to urge the claims of Liverpool as the terminal port in England for the proposed new fast Canadlan mail service. The high commissioner promised to lay the arguments which had been addressed to him before the Canadian government.

### REBELS BOMBARD

NAN NING FU.

Hongkong, May 9 .- Advices received here from Wy Chou say the rebels bombarded Nan Ning Fu for three hours, April 27, using modern field guns. From 300 to 400 of the inhabi-The rebels subsequently withdrew to the hill.

### LATE LOCALS.

The Scott-Strevell tinners are still out, but the firm is arranging to "open up shop" again on Monday as usual. A number of the men would be glad to return but are reported as fearing to

The state board of education will meet in State Superintendent Nelson's office tomorrow morning at 10 o'clock to consider applications for state diplomas and certificates and also to set the date olding state and county teachers The mayor has approved the various

matters passed upon by the council on Tuesday evening, among them being the acceptance of the bid of David Keith of \$45,000 for the Tenth ward square, the contract for the paving o South Temple street at a cost of \$101 135, and the matter of expending \$1,000 on the improvement of First North street out to Agricultural Park,

ter level of the lake is all of 300 feet out from the Garfield pavilion, and that the bathing resort plant is going to ruin. It is claimed that it would ost as much to restore the houses and fixtures there as it would be to build the whole outfit anew. The lunch bowfor the new standard guage grade, and other radical changes are being made

There are in town today 36 prominent members of Saginaw, Mich., encamp-ment No. 17, of the Independent Order of Foresters, en route home from at tendance on the triennial session of the supreme court of the order at Los Angeles. They are taking in the whole town today in the drag Utah, and leave this evening for the east over the Mis-souri Pacific. They came near having a serious accident last evening, when their train was derailed on the steet banks of the Humbolt river, 12 miles from Carlin, and but a little more and the entire train would have shot down the bank. The tourists are much the price offered. Since that time he pleased with Salt Lake City which they has been in close touch with the operare seeing for the first time.

# City of St. Pierre Destroyed by Fire

Twenty-five Thousand People Supposed to Have Perished-All Shipping in Harbor Wrecked-A Mass of Mollen Matter From an Erupting Volcano Fell Upon the Devoted Place-The Exuption Continues.

Paris, May 9.—The commander of the | St. Vincent have also suffered severely. French cruiser Suchet has telegraphed to the minister of marine, M. De Laneean, from Fort de France, island of Martinique, under date of Thursday, May 8, at 10 p. m. as follows:

"Have just returned from St. Pierre which has been completely destroyed by an immense mass of fire, which fell the entire population, about 25,000 couls, is supposed to have perished. I have brought back the few survivors, about 30. All the shipping in the haror has been destroyed by fire. The ruption continues.

The commander of the French cruiser Suchet, now at Port de France, has been ordered to return to St. Pierre, Martinique, with all the speed possible and forward details of the disaster to the French government. He cannot, however, be heard from for 24 hours, as the Suchet has gone to the Island of Guadaloupe in order to obtain provi-

It is feared that M. L. Mouttel, governor of Martinique, has perished. He telegraphed May 7 that he was pro-ceeding to St. Pierre. Senator Knight is also supposed to have been at St.

AMERICAN FIRM INTERESTED. Portland, Me., May 9 .- News of the catastrophe at St. Pierre, island of Martinique, was of deep interest to the firm of J. H. Hamlen & Co., of this city, which is said to be the only New England business house with an office at St. Pierre. Besides dealing in northern lumber, the Hamlens are interested in the sugar industry there and hold considerable property. Their loss will be

J. C. Hamlen, the junior member of the firm, cays there were no New Eng-land people at the island connected with the business and he believes none but natives were killed. He also is of the opinion that no New England or American vessels were in port as the season for shipping lumber, ice and ocal is over.

EARTHQUAKE IN SPAIN. Madrid, May 9 .- Earthquakes were felt at Alicante, Murcia and Elche, on the southern coast of Spain last night. Panics followed but there were no fatalities COAST COVERED WITH ASHES.

Paris, May 9 .- M. Biaguenol, a sugar planter of the island of Martinique, received a cable dispatch this morning from Fort de France, sent by the manager of the Francis factory, announce ing that he had "tried to reach St. Pierre, but found the coast covered with ashes and the town enveloped in dust and could not land."

REFUGEES FROM ST. PIERRE. St. Thomas, D. W. I., May 9 .- 9:30 a m. The French cruiser Suchet arrived at Point A-Pitre, island of Guadeloupe. French West Indies from Fort de France this morning, bringing sev-eral refugees. She confirmed the report that the town of St. Pierre, Martinique, was entirely destroyed at 8 o'clock on Thursday morning by a volcanic erup-It is supposed that most of the inhabitants of St. Pierre were killed, that the neighboring parishes were laid waste, and that the residue of the population of St. Pierre is without food or

### NO DIRECT NEWS.

London, May 9 .- With the exception of the dispatch repeating the news brought to the island of St. Lucia yes-terday afternoon by the British steam-er Roddam, which announced the to-tal destruction of the town of St. Pier-re, island of Martingue. re, island of Martinique, by a volcanic eruption, the English merchants and shippers here having trade relations with Martinique have received no direst news of the catastrophe. Even the owners of the Roddam, which was forced to slip her anchor at St. Pierre in order to escape and which was badly damaged, 17 of her crew being killed, have not heard from the vessel's cap-

former resident of St. Pierre.

now in this city, says there were about 1,000 white people among the inhabitants of the destroyed town. 6:25 p. m. At this hour, London is quite cut off from communication with the island of Martinique. The cable companies have received nothing except vague messages saying the interrupted owing to the volcanic

eruption.

The colonial office is without word from Martinique except that a grave disaster, the extent of which is not mentioned, has occurred, and the re-ceipt of a repetition of the steel steamer Roddam's news.

St. Vincent have also suhered severely.

All messages to these islands are sent at sender's risk and no cipher dispatches are accepted. It is expected that possibly news will reach England tonight through steamers arriving at the control of the c other West Indian islands. SOUFRIERE VOLCANO ACTIVE

London, May 9.-The colonial office here has received a dispatch from Sir Robert Llewellyn, governor of the Windward islands in the Carribean sea dated from Kingston, St. Vincent, yes-that the Soufriere volcano in the northwestern part of the island of St cent, continued in activity. shocks had recurred for a week past but not actually in Kingston. On Wednesday a big cloud of steam hung over the Soufriere and the inhabitants who were greatly alarmed, were flock-ing to Chateau Beigir. There were already 300 refugees there who were being fed by the authorities.

A VICTIM OF THE VOLCANO. St. Thomas, D. W. I., May 8, 7 p.m .--The British steamer day for Mortinique, returned there at 5 o'clock this afternoon, bringing a report that the town of St. Pierre, Martinique, has been totally destroyed by volcanic disturbances in the island. Almost all the inhabitants of St. Pierre are said to have been killed. The Roddam reports that all the shipping in the port has also been destroyed. The Quebec Steamship company's steamer Rorinta is mentioned as lost with all on board. The Roddam was almost completely wrecked. Her captain was seriously burned, and

7 of her crew are dead. SUPPOSED TO DE LOST. New York, May 3,-There were three

passengers on the Quebec Steamship company's steamer Rorima, which is supposed to have been lost with all on board in the harbor of St. Pierre.

These passengers were F. Ince, Mrs. H. J. Ince and Mrs. Stokes. All fived in the West Indies. At the Quebec Steamship company's office here, no news had been received either from Capt. Muggah, the commander of the vessel or from any of the West Indian agents of the line.

agents of the line. At the offices of the Danish and French consuls nothing had been heard directly of the present conditions in the destroyed district.

The British royal mall steamer Esk, which arrived at St. Lucia this morning, reports having passed St. Pierre last night. The steamer was covered with ashes, though she was five miles with ashes, though she was five miles distant from the town which was in impenetrable darkness. A boat was sent in as near as possible to the chore. but not a living soul was seen ashore, only flames. The Quebec Steamship-company's Rorainm was seen to explode and disappear.

TRIED TO SAVE REFUGEES. St. Thomas, D. W. L. May 2,-The commander of the Suchet reports that at 1 o'clock on Thursday the entire town of St. Pierre was wrapped in

He endeavored to save about 30 persons, more or less burned, from the vessels in the harbor. His officers went ashore in small boats seeking for sur-vivors, but were unable to penetrate the town. They saw heaps of bodies upon the wharves and it is believed that not a single person resident in St. Pierre at the moment of the catastrophe escaped.

The governor of the colony and his staff and wife were in St. Pierre and probably perished. The extent of the catastrophe cannot be imagined. The captain of the British steamer Roddam, was very seriously injured, and is now in the hospital at St. Lucia, All of his officers and engineers were killed or dying. Nearly every member of the crew is dead. Surgeon Campbell and ten of the crew of the Roddam jumped overboard at St. Pierre and

ALL ISLANDS ISOLATED.

Kingston, Ja., May 9 .- All the islands in the neighborhod of Martin-ique are isolated, apparently, by an earthquake. Cable communication with St. Vincent, Barbadoes, Granada, Trinidad, Madiera and St. Lucia, is interrupted. Fears are entertained for the safety of the cable repair steamer Grappler, which was at Martinique prior to the disaster.

NO NEWS FROM ST. VINCENT. London, May 9.-Gov. Llewellyn of the Windward islands, telegraphed day from the Island of St. Lucia to the

"No news from the island of St. Vincent. From what I saw on the passage to St. Lucia, I fear the eruption of Souffriere is very serious. The The belief now exists that the British West Indian islands of Dominica and broken."

# "SECRET-GROUND" WORKINGS.

The United States Mining company | treble the amount now sued for. today filed in the Federal yourt a damage suit against L. M. Lawson and others, amounting to \$54,000. The complaint alleges that the defendants by means of secret underground workings and tunnels have extracted from claims belonging to the plaintiff, ore amounting to at least the sum sued for and Workings" referred to in the complaint. further, the damages sustained by the plaintiffs because of the "secret and West Mountain mining district, and is malicious workings," accomplished by the defendants, the actual damage may | U. S. Lot, 423.

These two companies have been involved in litigation for some time, and there is pending now in the United States court, the outcome of a suit brought by the United States Mining company to quiet their title to the claim of the Neptune tunnel. This tunnel, while not involved in the present suit is in reality one of the "Secret The mine involved is situated in the known as the Jordan Extension lode

## MORGAN BUYS CUNARD LINE.

Baltimore, May 9.-Wm. Pinkney of | he states positively than the Cunard Sutherland, England, who is the managing director of the Neptune line of steamers from Baltimore to Rotterdam and Amsterdam and who is now gan steamship syndicate has bought

Mr. Pinkney's line was made an offer for its ships but refused to sell at ations of the Morgan syndicate and

information is such as may be relied The Neptune line is still open to the

offers of the Morgan syndicate, according to Mr. Pinkney. He says the nine steamships owned by the company can be bought for the same price that was paid for the Leyland line tune line has recently sold one of its fastest ships, the Morena, to the trian government, to be used in Japo